

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Vernon Wilcox,)	
)	No. 9:14-cv-3747
Plaintiff,)	
)	ORDER
vs.)	
)	
South Carolina Department of Corrections;)	
Nurse Brooks; Cynthia Connell; S. Page;)	
D. Copeland; Captain Siebles; Major)	
Washington; Sharonda Sutton; Robert)	
M. Stevenson, III; and Broad River Medical,)	
)	
Defendants.)	
)	
)	
)	


This matter comes before the Court on the Report and Recommendation (R & R) of the Magistrate Judge (Dkt. No. 16), recommending that the Court dismiss Defendant Broad River Medical as a party Defendant, without prejudice and without issuance and service of process. Plaintiff has not filed any objections to the R & R. For the reasons stated below, the Court ADOPTS the R & R and DISMISSES Defendant Broad River Medical.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). This Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made. Here, however, because no objection has been made, this Court “must ‘only satisfy itself that there is no clear error on the face of the

record in order to accept the recommendation.”” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P 72 advisory committee note). Moreover, in the absence of specific objections to the R & R, the Court need not give any explanation for adopting the Magistrate Judge’s analysis and recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

The Court agrees with the Magistrate Judge that Broad River Medical is not a person subject to suit under Section 1983. Therefore, the Court **ADOPTS** the Magistrate Judge’s Report and Recommendation, (Dkt. No. 16), as the order of this Court. Accordingly, Defendant Broad River Medical is **DISMISSED** from this action without prejudice and without issuance and service of process.

IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

December 11, 2014
Charleston, South Carolina